



STATE OF ARKANSAS
TOWING & RECOVERY BOARD
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Wayne Edwards,
Vice –Chairperson
Zone 4 Non-Consent
Representative
(870) 265-2214

Arlon Hickman,
Treasurer
Citizen Representative
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Zone 1 Non-Consent
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Consent Only
Representative
(479) 963-3794

Ronnie Walker,
Consent Only
Representative
(501) 321-2852

Noel Foster
Citizen Representative
(870) 247-1414

MINUTES

May 27, 2009

The Arkansas Towing & Recovery Board convened on Wednesday, May 27, 2009 at 9:30 a.m. in the 2nd floor conference room of the Attorney General's Office at 323 Center Street, Little Rock, Arkansas. Vice-Chairperson Wayne Edwards called the meeting to order with roll call. Vice-Chairperson Wayne Edwards, Treasurer Arlon Hickman, and Members: E. L. Jacobs, Mary Thoma, Charles Bokker, Jr. and Avon Phillips Jr. were in attendance. Board Director Cynthia Lauen, Clerical Assistant April Staggs, Board Investigator Gary Ashcraft, Board Consultant B.G. Hendrix, and Assistant Attorney General Don Barnes were also, present. Chairperson Glenna Butler, out of town, and Members, Noel Foster, out of town, and Ronnie Walker, were not present.

Vice-Chairperson Edwards confirmed members had received the Minutes from the April 29, 2009, meeting with a Motion by Jacobs and a 2nd by Hickman, the Board voted 6-0-3 to accept the Minutes as written.

Treasurer Hickman reported expenditures of \$ 4,102.03 and revenues of \$ 79.70 for a checkbook balance as of May 26, 2009 of \$ 107,700.19 (Note: Copy Treasurers' Reports are filed with these Minutes).

Vice-Chairperson Edwards welcomed guests.

On-Going Business

- Progress Report:** Clerical Assistant Staggs reported as of May 26, 2009: 41 non-consent safety licenses; 36 new, 33 1st renewal, and 31 2nd renewal non-consent permits; 19 consent safety licenses, 11 new, 10 1st renewal, 07 2nd renewal and 01 Trailer consent permits were issued, 18 walk-in applications, 14 applications with deficiencies, and 13 unprocessed applications. (Note copy of Clerical Report is filed with these Minutes).
- Complaints Report:** Board Investigator Ashcraft reported as of May 26, 2009: 25 telephone complaints, 12 written complaints, and 13 Notices of Non-renewal were sent. An estimated 75 pending complaint investigations, 04 pending complaint hearings, and 12 closed complaints. 00 Offer of Settlements were sent. The complaints were broken down into itemized categories on the report. (Note: copy of Complaint Report is filed with these minutes)
- Administrative Appeals:** Attorney Barnes reported on 3 complaints on appeal:
 - Complaint No. 06-12-158** Asher Wrecker Service, Inc. Attorney Barnes reported current issue with the record and waiting on briefing.
 - Complaint No. 08-11-061 and 08-12-070:** Steve's Auto Center of Conway, Inc, Attorney Barnes reported an Order of Discovery was received for declaratory judgments. Appeals are still pending.

- C. **Complaint No. 08-06-150** – Gene Zajac DBA Blue Hill Wrecker
Service Attorney Barnes reported record has been filed waiting on a briefing date.

Old Business

1. **Arkansas State Police:** Ashcraft reported we continued work with Captain Mark Allen.
2. **Budget – FY 2010:** Lauen reported the budget had been filed and presented copies of submitted budget to Board members.

New Business

1. **New Pay Plan Structure Policy:** Lauen presented a new pay plan structure policy as required under the new pay plan structure implemented by the Department of Personnel Management.
A. Temporary Employee: Member Jacobs inquired on the possibility of a new investigator; Lauen advised no new positions were allowed in the new fiscal year; however a temporary employee could be hired to help in the investigations. After some discussion, with a Motion by Jacobs, 2nd by Phillips, the Board voted 6-0-3 to hire a temporary to help the investigator with his work.

Other Business

1. **Next Meetings:** June 23, 2009, 2nd floor conference room, Tower Building, 323 Center, Little Rock, Arkansas.

Disciplinary Hearing

1. **Complaint No. 09-09-045** – Glover's Transmission & Rear-end, Inc.: found in violation of A.C.A 27-50-1201 and Rule 11; fined \$5,000 with enforcement clause.
2. **Complaint No. 09-10-093** – Glover's Transmission & Rear-end, Inc.: found in violation of A.C.A. 27-50-1201, and Rule 6.2 and Rule 11; fined \$6,000. with enforcement clause.
3. **Complaint No. 09-03-118** – Donald Williams DBA Duck's Body Shop: Late fees waved. Pay back licensing and permit fees.
4. **Complaint No. 09-05-132** – Gary's Auto Sales: found in violation of A.C.A 27-50-1201, Rule 6.1 and 6.2; fined \$ 250 with enforcement clause.

Meeting adjourned 2:15 p.m.

Signed _____
Glenna Butler, Chairperson or
Wayne Edwards, Vice-Chairperson

Attest _____
Cynthia Lauen, Director

Approved _____ (Date)